

AMERICAN ARBITRATION ASSOCIATION
COMMERCIAL ARBITRATION RULES

ASDC HOLDINGS, LLC, ASDC
LIQUIDATION, INC., VALOR
MANAGEMENT CORP., ANTONIO
GRACIAS, JUAN SABATER, JONATHAN
SHULKIN, and ALL SMILES
LIQUIDATION TRUST,

Claimants,

v.

THE RICHARD J. MALOUF 2008 ALL-
SMILES GRANTOR RETAINED ANNUITY
TRUST, RICHARD J. MALOUF, STRAIT
LANE FAMILY LP, CAMELIA FAMILY
LIMITED PARTNERSHIP, and DEAL TIME
AUTO GROUP, LLC,

Respondents.

Case No. 14 193 Y 00243 11

SUBPOENA DUCES TECUM

To:


Michael P. Gibson
900 Jackson Street Suite 330
Dallas, Texas 75202

Greetings:

WE COMMAND YOU that, all business and excuses being laid aside, pursuant to Rule 34(d) of the Commercial Arbitration Rules of the American Arbitration Association ("AAA") and Section 7 of the Federal Arbitration Act (codified in 9 U.S.C. §7), that you appear and attend before Chairman Anthony DiLeo and Arbitrators Robert Best and Martin Weisman at the law offices of Susman Godfrey LLP at 901 Main Street Suite 5100, Dallas, Texas 75202 on the 27th day of August, 2015, at 10 a.m. Central, to testify and provide evidence in a certain arbitration hearing, to be recorded by videotape and stenographic means, then and there to be held between the above entitled parties, and that you bring with you and produce documents regarding your representation of All Smiles Dental Center, Inc. ("All Smiles") in connection with government investigations:

1. Any fee or retention agreements between All Smiles, on the one hand, and Burleson Pate & Gibson LLP, on the other.
2. Your client files for All Smiles.
3. Documents relating to any Government Investigation.

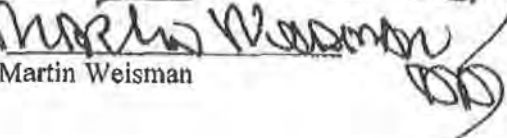
Please see the attached Exhibit A for definitions and instructions related to this subpoena.

Signed: 

Anthony DiLeo

Signed: 

Robert Best, Jr.

Signed: 

Martin Weisman

Requested by: Barry Barnett
Susman Godfrey LLP
901 Main Street, Suite 5100
Dallas, Texas 75202
Phone: 214-754-1903
bbarnett@susmangodfrey.com

EXHIBIT A

DEFINITIONS AND INSTRUCTIONS

The following definitions and instructions apply to the document requests listed in the related subpoena duces tecum:

1. The terms "document" and "documents" include, but are not limited to, any writings, drawings, graphs, charts, photographs, phonograph records, tape recordings, notes, diaries, calendars, checkbooks, books, papers, accounts, electronic or videotape recordings, electronic mail messages, text messages, and any computer-generated, computer-stored, or electronically-stored matter from which information can be obtained and translated, if necessary, into reasonably useable form.

2. You are to produce all documents, as defined above, that are in the possession or custody of you or the law firm of Burleson Pate & Gibson, LLP, or in the possession or custody of any employee or agent the law firm of Burleson Pate & Gibson, LLP.

3. All duplicates or copies of documents are to be provided to the extent they have handwriting, additions, or deletions of any kind different from the original document being produced.

4. "Government Investigations" refers to all investigations or audits concerning All Smiles, Malouf, or any employee, agent, or representative thereof, by a government authority (including but not limited to the Department of Justice, the United States Attorney's office, the Dallas County District Attorney's office, the Texas Attorney General's office, the Office of the Inspector General, the Department of Health and Human Services, or the Texas Medicaid Fraud Control Unit) related to services provided by All Smiles or Malouf.

5. "All Smiles" means All Smiles Dental Center, Inc., All Smiles Dental Center PA, ASDC Property Holdings, LLC, and ASDC Holdings, LLC, including its predecessors or successors in interest, and any employee, agent, or representative thereof.

6. "You," "your," or "yours" shall mean, unless otherwise specified in a particular request, Burleson Pate & Gibson, LLP, and any employee, agent or representative of Burleson Pate & Gibson, LLP, and each person acting or authorized to act on behalf of Burleson Pate & Gibson, LLP.

7. The term "and/or," "or," and "and" are used inclusively, not exclusively.

8. Except where otherwise indicated, each paragraph of this subpoena duces tecum covers the time period beginning January 1, 2004, to the present.

9. Produce all documents prepared, sent, or received, in whole or in part, during the time period described above.

10. If you learn that your responses or disclosure to any request in the subpoena duces tecum is inaccurate or incomplete, you must supplement or correct that disclosure in a timely manner.